

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELAINE GIBNEY,

Defendant.

CASE NO. C14-5969 BHS  
C14-5970BHS

ORDER DENYING MOTIONS  
FOR HEARING

This matter comes before the Court on Defendant Elaine Gibney's motions for hearing (C14-5969, Dkt. 7 & C14-5970, Dkt. 7), the Court's requests for response, and the Government's responses (C14-5969, Dkt. 13 & C14-5970, Dkt. 12).

On December 4, 2014, Mrs. Gibney filed the motions for hearing objecting to the Government's attempts to garnish certain investments because her husband is incarcerated and she is current on her payments per her conditions of probation. As the Government correctly argues, neither of these reasons is sufficient to prevent the Government from seeking the investment income as credit toward the \$465,136.03 in

1 restitution that Mr. and Mrs. Gibney owe the Government. Therefore, the Court  
2 **DENIES** Mrs. Gibney's motions for hearing.

3 **IT IS SO ORDERED.**

4 Dated this 14th day of January, 2015.

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7 BENJAMIN H. SETTLE  
8 United States District Judge  
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